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This month

The State Patrol Celebrates
Its Fortieth Year

Trustees and Campus Turmoil

Legislative Study Commissions

Free Press/Fair Trial

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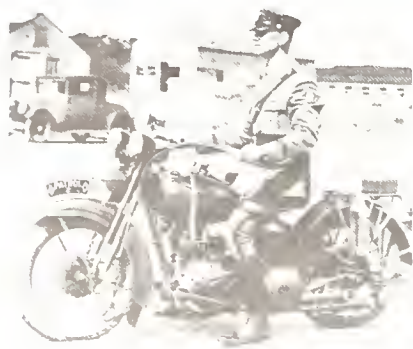
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BY JOHN B. ADAMS

This month's cover pays homage to the thirty-seven original members of the North Carolina State Patrol, which celebrates its fortieth anniversary this year. The trooper is W. W. Stone, the youngest man on the Patrol when it was organized in July of 1929. Today Technical Sergeant Stone is the only charter member still on active duty. He is assigned to Troop C headquarters in Greensboro.



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THE STATE PATROL CELEBRATES ITS FORTIETH YEAR

The Tar Heel Trooper

BY HARVEY D. MILLER

There is an unmistakable air of pride in the men of the North Carolina State Highway Patrol this year. No cakes nor candles, no speeches nor gifts marked the occasion, but everyone in the Patrol knew that July 1, 1969, had special significance. The Patrol celebrated its fortieth anniversary as another day of normal operations—operations designed to afford maximum safety and service to all who use the state's roads and highways.

WHAT IS the North Carolina State Highway Patrol? How does a man become a patrolman? What has the Patrol meant to North Carolina? These are the questions this article is addressed to.

Basil L. Sherrill, presently General Counsel of the North Carolina Sheriffs' Association, while an assistant director of the Institute of Government, chronicled the history of the Patrol.¹

On July 1, 1929, thirty-seven carefully selected men stood on the steps of the State Capitol and were sworn in as the first members of the North Carolina State Highway Patrol. The ceremony came only after a battle, carried on in the General Assembly and the editorial columns of the State's newspapers, between those who saw the need for professional enforcement of the State's traffic laws and those who feared that a State Patrol might become the kind of political force that had emerged in other states. The Patrol was on trial, in the eyes of the people and the General Assembly. Through the past twenty-five years

it has acquitted itself with honor. It has grown in numbers from the original thirty-seven to its present uniform strength of 531, and has been welded into a respected, trained and efficient law enforcement team. The old motorevels and cavalry-style outfits have been replaced by modern patrol cars and smartly tailored uniforms. The old trial and error law enforcement methods have disappeared. Today the Patrol's safety-enforcement program is carefully planned and built around the latest devices and techniques that modern science can provide.

The ensuing fifteen years have not slowed the pace of change in the Patrol. The total number of uniformed personnel has increased to an authorized strength of 927. Technological advances have increased the Patrol's capabilities to perform their basic function of road patrol. However, the burgeoning use of the automobile has increased at a much greater rate than either Patrol manpower or equipment. Men and equipment work harder than ever before; yet tragically, the rate of property damage, personal injury, and fatal accidents continues to rise on a long-term basis of comparison.

1. Basil L. Sherrill, "Twenty-five Years of Service," *Popular Government* (May 1954), p. 3.

Preparation for the Patrol

The officer who operates a silver and black patrol vehicle of the North Carolina State Highway Patrol is not there as an accident of chance. He is the product of an extremely well planned and executed selection and recruitment process and an alumnus of one of the most rigorous basic training programs offered in any law enforcement agency. Also, regularized retraining has kept him abreast of changes in the law and enforcement techniques. If there are any experts in traffic and safety today, the State Highway Patrolman qualifies for the title.

The Basic School offers solid evidence of the state's interest in each of its Patrol officers. Before he is accepted for training each applicant must pass a battery of educational tests, survive an intensive oral board examination, endure a thorough medical check, and lay open his past to a careful background investigation. If all reports are favorable, he *may* then be selected as a Patrol recruit. The rejection rate is high: for each recruit selected for training, another ten are rejected for one or more reasons.

The Basic School is unique compared with similar undertakings in other states. First, it is long. The total course consists of fourteen weeks of classroom and field instruction. Second, the school is a cooperative effort between the Highway Patrol and the Institute of Government at the University of North Carolina in Chapel Hill. The patrolmen-trainees are housed and most of the instruction given in the Institute building. The Institute, the University, and the Patrol are singly and severally proud of this unusual training arrangement.

The staff of the Basic Patrol School is composed of four uniformed Patrol officers and ten faculty members of the Institute of Government. The uniformed officers serve under a technical sergeant (designated as Commandant, Basic Patrol School), act as the school's administrative board, and also teach selected segments of the course. Faculty of the Institute of Government teach legal subjects and act as advisers to the program. One Institute member is assigned as coordinator of the course. Other instructors come from various North Carolina colleges and universities, from a number of state departments and agencies, and from the staff of the State Highway Patrol. Curriculum planning is a joint effort of the Patrol's Division of Training and Inspection and the Institute staff.

The 682 hours of training a Patrol recruit must successfully complete before going on the road can be divided roughly into four major classifications:

1. Law, legal procedures and American government—156 hours;
2. Enforcement techniques, including patrol driving—393 hours;
3. Physical fitness, firearms, and defensive tactics—104 hours;

4. Public speaking, public and interpersonal relations, and relationships with other agencies—39 hours.

Approximately one-quarter of the time allotted for instruction is spent in field experiences—that is, in supervised practice in high-speed driving, arrest and search techniques, traffic accident investigation, and similar operations. The primary objective of the Highway Patrol Basic School is to produce an officer who is physically, technically, emotionally, and socially competent and who, by his efforts, can substantially contribute to the safety and well-being of all persons who use the roads and highways of the Tar Heel State.

The Man Behind the Shield

The trooper of the North Carolina State Highway Patrol enjoys the support of the state and her people. Almost without exception, individually and collectively, the personnel of the Patrol are recognized as dedicated, professional law enforcement officers. They are to most Tar Heels a sample of the best young men that North Carolina produces. The laurel of pride in services performed was not won easily by the Patrol, nor does it rest lightly upon the head of the officer. His bailiwick, regardless of his duty assignment, is the entire state. His primary concern is the present and future contributions that his 927-man team can make to highway safety in North Carolina. His immediate and long-range objective is the fair and impartial enforcement of the law. And, though a trooper's interests are statewide, he considers himself an integral part of the community in which he lives. He is encouraged by his commanding officers and fortified by his own inclinations to become a viable part of the life of his community. Patrol officers serve as scoutmasters, are active in church groups, civic clubs, fraternal organizations, parent-teacher associations, and numerous other local functions.

The North Carolina Highway Patrol trooper is an organization man only in the sense that he works in a structured environment that supports his efforts as an individual. He is trained to make decisions on the merits of each contact, recognizing that generally accepted legal principles and enforcement techniques may or may not apply in specific situations. He has no quota of contacts to make or arrests to effect. The only grand design of the Highway Patrol as an organization (and one that is passed on to every officer) is to be of service whenever a need occurs.

Who is the trooper of the North Carolina State Highway Patrol? Personal statistics gathered from the personnel files of the trooper-trainees of the forty-sixth Basic Patrol School may tell something about the man behind the Patrol shield.

For example, from the 450 applicants who applied for training, forty-two were accepted. In the forty-

sixth school, the attrition rate among patrolman-trainees was slightly above 10 per cent. This is similar to the attrition rates of past schools. Most trainees who decide to quit cite personal or family problems as the major reason for resignation from the class.

All applicants finally accepted as trainees are residents of North Carolina. Approximately 65 per cent of an entering class are married. Fifty per cent are veterans of military service. Of the veterans, about 10 per cent are active in the National Guard or a military reserve component. The average educational level of attainment of a Patrol recruit is 12½ years. About 10 per cent of a recruit class has some education beyond the high school level.

Most Patrol recruits are from rural or small town backgrounds. Less than 25 per cent list cities above 25,000 population as hometowns. Approximately 20 per cent of a recruit class have prior police experience in local police or sheriff's departments. Another 10 per cent have military police experience.

Most Basic School trainees are young. The average age is twenty-four years. Reasons cited by applicants for positions in the Highway Patrol are many. Most frequently mentioned are: job security; interest in law enforcement developed in childhood or military service; desire to be of service to people; early retirement benefits; and finally the relatively high status the Highway Patrol enjoys as a law enforcement agency.

The author is the Institute's law enforcement specialist and heads up the Institute's faculty in the Patrol Schools.

The Record to Date

Comparisons relating to the effectiveness of various law enforcement agencies are difficult if not impossible to make. The North Carolina State Highway Patrol at forty years of age is still a young law enforcement body. Yet it has earned the confidence of North Carolinians. It is respected and admired by other law enforcement organizations. Its record of service to motorists on Tar Heel roads and highways is at an all-time high level. Patrol officers are called upon to teach in traffic safety training programs throughout southeastern United States. The Patrol is recognized nationally and internationally as an effective, hard-working, well-trained and ably commanded organization. Morale is high. To most Patrol officers, today is worthwhile only if it leads to a better tomorrow. The North Carolina State Highway Patrol is constantly working to achieve that goal.

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COMING DOWN THE HOME STRETCH

The State Patrol Looks Toward the Rest of the Century

BY COLONEL EDWIN C. GUY

1970 is a good time for the State Highway Patrol to take stock of where it's been and to do a little crystal-ball gazing to see where it's going. Last year, the Patrol reached its fortieth year, that magical date at which life is supposed to begin. Forty years is a pretty long time—long enough so that we can look to the last third of the twentieth century with a considerable body of experience from which to prognosticate: In short, we're pretty sure that many things are going to happen and that we had better be ready for them.

Population explosion! That's the term that excites the vendors of everything from toilets to townhouses. The thought of all those new customers may be thrilling to merchants, but to those of us engaged in the broader aspects of social activity, the population problem is just that—a problem. We know that all those youngsters that were riding around in baby buggies just a few years ago are now driving motorcycles and sports cars and sedans and station wagons, with offspring of their own.

During the next thirty years the total national population is expected to increase by around 40,000,000. Make no mistake, North Carolina will feel the bulge and feel it strongly.

Demographic experts predict that towns like Burlington, Asheboro, and Salisbury will reach population levels of more than 100,000 during the next decade and a half. In fact, the Piedmont areas of North and South Carolina will experience the greatest percentage increase in population of any area in the nation during the next few years. Raleigh, the eastern anchor of the Piedmont Crescent, is expected to be the fastest-growing city in southeastern United States between now and 1985.

The pressures of this tremendous population growth will be felt by everyone. If history is a suitable guide, we can look forward to a reduction of individual liberties as we cluster together in ever larger cities. There will be more laws to observe—consequently more potential for lawbreaking, and, in turn, a greater need for law enforcement.

Not long ago, Georgia's folksy Governor Lester Maddox evoked chuckles throughout the nation by observing that what was needed to improve his state's prison was a higher-class inmate.

That's not so ridiculous when you think about it. By some yardsticks, we're going to have a better class of traffic lawbreaker in

**Col. Edwin C. Guy, Commander
North Carolina State Patrol**



North Carolina in the years ahead. He's going to be better educated, more affluent, and more politically sophisticated—because the general population is improving in those areas.

According to the Buck Rogers philosophy, we are going to see great change in our vehicles of transportation before the end of the century. Very likely there will be significant change in many areas. The emission of pollutants from the internal combustion engine must be curtailed either by pre-emption of the engine itself or by modification. Certainly we shall see an increase in the use of mass transportation facilities for intercity and intracity travel.

Our burgeoning Piedmont Crescent is ideal for a high-speed monorail train like those that now zip through the cities and countryside of Japan. Perhaps a helicopter shuttle service will be used between the terminal cities of the Crescent.

However, it is my belief that the personal vehicle, not too different from those in use today, will remain the most popular form of transportation.

Those vehicles of the future probably will look different, use a new type of power, and will, let us hope, be less lethal when involved in crashes. Those are the probabilities. The certainty is that they will be more numerous and require more highways, more streets, more careful monitoring if the dreaded slaughter that now stains our traffic arteries is not to become unbearable.

During the past decade, society has changed dramatically in the United States and in North Carolina. The basic beliefs of many people toward our established mores and institutions have been challenged and in some instances refuted during the "sizzling sixties." During the "soaring seventies," we can expect more of the same unless the pendulum swings sharply in the other direction.

Alcohol is now consumed by three out of four Americans over the age of fifteen. In North Carolina, where the population is roughly 5,000,000, the sale of alcoholic beverages averages out to an annual expenditure of about \$64 per person. Despite proof that alcohol is the single greatest contributing factor in traffic death and injury, the practice of mixing drinking and driving continues to increase in North Carolina.

And now we are confronted with another deadly practice—the use of drugs whose potential for impairment has not begun to be accurately determined.

So here we are facing the last third of the century, and these probabilities:

- a rapidly increasing population;
- a dramatic increase in the number of vehicles;
- more highways to patrol;
- an increase in the number of persons who drive while under the influence of alcohol;
- a drug problem that grows worse with each passing month;
- a large body of drivers conditioned by past

experience to resent the law enforcement activities of all police organizations.

The Patrol and other law enforcement agencies already are dealing with these problems every day. The difference between now and the future is not that the problems will be different; they will just be far more numerous.

The question, then, for the Patrol and for the public is can the problems be met and solved in an acceptable fashion? I think they not only can be but will be, and I base this belief on the Patrol's very fine record of accomplishments during the past four decades.

No one today seriously questions the need for the Highway Patrol in coping with the complexities of modern automotive travel, but originally, the furor raised by the suggestion of a special law enforcement unit to enforce traffic laws was indeed intense. The argument was carried on for many months in newspaper columns and in the state General Assembly. Those who argued against creation of the Patrol feared it would become a political police force. That fear proved to be unfounded. Today the Patrol seeks less, not more, involvement in cases unrelated to traffic law enforcement.

It was a hardy band of young men who donned the uniforms of the State Highway Patrol in that bright 1929 summer just four months before the dark days of the depression settled grimly over the land. There were 37 of

them, including the nine officers and their commander.

They created a spirit of excitement and glamour on the highways and byways of North Carolina when they roared out to do their duty astride dangerous and contrary motorcycles. But more than excitement and glamour, those early-day troopers founded a tradition of excellence that remains a hallmark of the organization.

It is this tradition of excellence plus an ability to adapt to the changing times and to win public acceptance of its activities that will enable the Patrol to meet the challenges of the future successfully. A review of fairly recent developments will indicate the Patrol's willingness to move with the times.

For example, when the evidence indicating alcohol as a major cause of traffic death and injury became conclusive, the Patrol moved swiftly to take advantage of new scientific equipment that would take the guesswork out of drunken-driver arrests. Today, North Carolina's program of chemical testing for persons suspected of being under the influence is considered a model among the fifty states. In mid-1969, 220 troopers had been certified to operate chemical test equipment and 112 units had been placed in service.

As soon as it was organized the North Carolina Highway Patrol began using speed watches in an effort to control the dangerous speeder. When new equipment—in the form

The Original 1929 State Patrol



Captain Charles D. Farmer, commanding officer of the first Patrol, with a 1929 Ford patrol car.



of radar—came along, the Patrol was among the first customers, and most recently, we have begun using miniature computers known by the trade name, Vascar. This new equipment provides maximum flexibility in monitoring speeding drivers, and for that reason, the Patrol has equipped 197 vehicles with the Vascar units.

A new data processing system has recently been installed to store and retrieve data on every vehicle and every licensed driver in North Carolina. In the fairly near future, individual patrol cars will be linked to this system and will be able to check on any driver or any vehicle instantly. The system also permits constant review of all drivers' licenses so that chronic traffic law violators can be singled out for counseling and rehabilitation.

From the outset, North Carolina's Patrol training school has been a source of pride not only to members of the Patrol but to the general public as well. The fourteen-week basic training school and the regularly conducted in-service schools provide a well-rounded course of study for the trooper. However, this school, as good as it is, must be continuously upgraded in the years ahead if the trooper is to keep pace with those with whom he will come into daily contact.

There will be much specialized knowledge which the trooper of tomorrow must master, but he must also be exposed to a broader-based education—perhaps similar to the liberal arts programs of many colleges and universities. Such an education will introduce the law enforcement officer to the study of the

**Vascar
in operation**



humanities, to literature, to the arts and will, in the process, provide him with a clearer understanding of the role of the law enforcement officer in a society of laws.

Certainly we can master the technicalities of law enforcement in the future. Without a clearer understanding of the policeman's position, we shall find it increasingly difficult to respond in a meaningful manner to those who question the relevancy of the policeman's work.

At the beginning of a new decade, it is indeed pleasant to contemplate where we have been in past years. It is, however, far more challenging, exciting and productive to contemplate where we are heading.

The course I see for law enforcement and especially for the State Highway Patrol is straight and true. While I cannot know what awaits at the end, I agree with a familiar slogan that "going is half the fun of getting there."

Institute Calendar for February and March

Model Cities Seminar	Feb. 2-4 Feb. 9-10 Feb. 16-18 Feb. 23-25 Mar. 9-11 Mar. 16-18 Mar. 23-25
City and County Manager	Feb. 4-6
School Board Attorneys	Feb. 6-7
County Attorneys	Feb. 13-14 Mar. 20-21
District Court Judges	Feb. 13-14
Wildlife Supervisors	Feb. 16-21
Wildlife Patrolmen	Feb. 23-28
Communication Seminar	Feb. 26-27
Sheriff's School	Mar. 2-4
Finance School	Mar. 4-5
Purchasing School	Mar. 5-6
Wildlife Investigative Techniques	Mar. 9-14
M.P.A. Seminar	Mar. 13-14
Superior Court Judges	Mar. 13-14
New Tax Collectors	Mar. 16-20
Department of Local Affairs Training	Mar. 20-21
Wildlife Basic School	Mar. 23-28
Wildlife Testing	Mar. 30-Apr. 3
Continuing Schools	
Local Government Administration	Jan. 5-Mar. 20
Police Administration	Feb. 10-12 Mar. 10-12
Building Inspectors	Feb. 13-14 Mar. 6-7
Municipal and County Administration	Feb. 19-21 Mar. 13-14

LEGISLATIVE STUDIES

and the 1969

General Assembly

BY JOHN L. SANDERS

When the Legislative Council, predecessor of the present Legislative Research Commission, was established in 1963 as the permanent between-sessions investigative agency of the General Assembly, one of the voiced hopes was that it would make unnecessary the creation of temporary, special-purpose study commissions such as the General Assembly had established often during the previous decade. It was futile hope. The General Assemblies of 1965 and 1967 each created eleven special study commissions and the General Assembly of 1969 raised the number to an even dozen. The recent session also assigned twelve subjects to the Legislative Research Commission for study and directed administrative agencies to undertake another seven inquiries.

The 1969 General Assembly and its recent predecessors have shown a high degree of confidence in the effectiveness of the study commission as a device for deliberate examination of and formulation of solutions (often legislative in character) to problems that are too complex or controversial to be

dealt with in the midst of a legislative session. For example, the 1969 session acted favorably on many of the recommendations of study commissions active during the previous eighteen months, ranging over topics as diverse as constitutional revision, court improvement, the strengthening of local government, improvement of the public schools, and the establishment of a zoological garden.

The study commissions created this year range in size from three to nineteen members, with nine and eleven being the most common numbers. As has been fashionable for several sessions, most (nine) of the commissions consist of members chosen in part by the Governor, in part by the President of the Senate, and in part by the Speaker of the House of Representatives. (The presiding officers' appointees are not in most cases required to be legislators.) The Governor appoints all members of two commissions, and the presiding officers of the two legislative chambers appoint the members of one commission without participation by the Governor. The chair-

men of seven of the commissions will be elected by their fellow commission members; the other five chairmen will be designated by the Governor.

In all instances but one (the Citizens Advisory Committee on the General Assembly), commission members are allowed a per diem of \$7, reimbursement of travel expenses, and subsistence payments up to \$20 a day. In all but two cases, commission expenses are to be paid from the Contingency and Emergency Fund. In nine cases, the commission is expressly authorized to employ professional and other assistance, but that authority is implied in any event.

In every instance but two, the commission is directed to report to the 1971 General Assembly and usually to the Governor as well.

COMMISSIONS APPROVED

The following is a brief summary of the organization and assignment of each of the twelve study commissions that will be active be-

tween now and the 1971 General Assembly:

- By any measure, the Local Government Study Commission was the most successful of all the 1967-69 legislative study commissions in gaining approval for its recommendations. An extensive revision of the state constitutional provisions with respect to local government finance, the delegation to all counties and cities of wide authority to revise the structure of their governing boards and to control local salaries and fees, the establishment of a State Department of Local Affairs, and a drastic revision in the methods of processing local bills in the General Assembly are among the 1969 legislative actions taken on recommendation of that Commission.

Early in its work, the 1967-69 Local Government Study Commission recognized that it could not complete its full assignment within the time available; it therefore proceeded on the assumption that a successor commission would carry on its work for at least another two years. The 1969 session agreed and re-created the Commission with the same structure and assignment (H 1381, ratified as Resolution 111). The membership will be six representatives appointed by the Speaker of the House, three senators appointed by the President of the Senate, and six other persons chosen by the Governor. The assignment is broad enough to encompass the whole range of local governmental structure, powers, finance, and relationships with the state.

- In recent years, the Legislative Research Commission has taken much interest in the improvement of the General Assembly as an institution. Improvements in legislative salaries and in staff services to the General Assembly are among its accomplishments. Following a parallel established in many other states, the 1969 session created the Citizens Advisory Committee on the General Assembly of North Carolina and directed it "to study the legislative needs, organization,

facilities, and functions with the goal of improving and strengthening the ability of the General Assembly to fulfill its responsibilities . . ." (S 712, ratified as Resolution 100). The President of the Senate and Speaker of the House will be members ex officio. The President will appoint three senators and twelve "private citizens" to the Committee; the Speaker will appoint three representatives and twelve "private citizens." No provision was made for financing the work of the Committee, and private financing seems to have been contemplated by its originators.

- The 1965 and 1967 sessions of the General Assembly each created a Tax Study Commission, neither of which was signally successful with its proposals. The 1969 session created two such commissions and directed both to give attention to local taxation, especially the property tax. It is reported that agreement as to the respective jurisdictions of the two commissions has been reached.

The Tax Study Commission (H 895, ratified as Resolution 73) is a continuation of the two previous commissions. It was directed to review state and local tax laws generally with particular attention to exemptions from property and other taxes and the taxation of banks, and to recommend improvements. Five members will be appointed by the Governor, three by the President of the Senate, and three by the Speaker of the House. The Commission will report to the 1973 session.

- The Commission for the Study of the Local and Ad Valorem Tax Structure of the State (S 789, ratified as Resolution 92) was established to give special study to local taxation, which means essentially property taxation in view of the heavy dependence placed on that source by cities and counties. The Governor, President of the Senate, and Speaker of the House will each appoint three members of the Commission.

- The General Assembly took note of the growing problem of

drug usage by establishing the Legislative Study Commission on Use of Illegal and Harmful Drugs (S 567, ratified as Resolution 74). That Commission is to study the traffic in and use of drugs of all types; the facilities for the detection, prevention, and treatment of use of illegal drugs; and the laws governing drug use. It is to recommend necessary changes to enable the state to deal more effectively with the subject. Seven members will be appointed by the Governor (including teachers, law enforcement officers, and a college student); two senators will be appointed by the President of the Senate and two representatives will be appointed by the Speaker of the House.

- The whole matter of automobile liability insurance, including the laws requiring insurance coverage, policy terms, premium fixing, and the financial responsibility of auto owners and operators will be examined by the Governor's Study Commission on Automobile Liability Insurance (S 509, ratified as Resolution 65). The Governor will appoint all fifteen members of this Commission, including seven members of the insurance-buying public, five representing various aspects of the insurance industry, a plaintiff's lawyer, a defendant's lawyer, and a Governor's representative.

- The nonsalary benefits provided by the State of North Carolina to its teachers and other state employees are relatively few compared with those offered by many large-scale employers. The benefits currently available consist of paid vacation (except for teachers), holidays, and sick leave, and payment of the employer's contributions to Social Security and the state retirement plan. There have been increasingly frequent proposals that the state provide more extensive fringe benefits—various insurance plans, for example—at its own expense. In response, the General Assembly of 1969 created the Teachers and State Employees Benefits Study Commission to ex-

plore the various types of nonsalary benefits that might contribute to employee efficiency and competence and make recommendations for improvements (H 460, ratified as Resolution 80). The kinds of benefits to be studied include hospitalization and medical coverage, life insurance, salary continuation for disabled employees, holidays and scheduled vacations, various types of leave, and other comparable or related benefits.

The Governor will appoint all eleven members. Two will be senators recommended by the Lieutenant-Governor, two will be representatives recommended by the Speaker of the House, four will be representatives of teachers' and employees' associations recommended by those associations, and three will be "members at large."

- The Legislative Commission on Student Financial Aid, established by Resolution 56 (S 367), will "consider the advisability of creation of a statewide student assistance program, applicable to North Carolina residents who attend public and private colleges in the State and make recommendations to the 1971 General Assembly. . . ." The 21-member group will consist of the Chairman of the Board of Higher Education (who is the Governor, ex officio) and a member of that Board; the president of a public university, the president of a private college or university, and seven citizens, all appointed by the Governor; five senators appointed by the President of the Senate; and five representatives appointed by the Speaker of the House of Representatives. The Board of Higher Education will provide supporting services for the Commission.

- The Study Commission on North Carolina's Emotionally Disturbed Children, created by Resolution 75 (S 629), will study prevention, educational intervention, and treatment measures with respect to emotionally disturbed children, and the mental health needs of all children in the state. Three

of its members will be appointed by the Governor, three by the Lieutenant-Governor, and three by the Speaker of the House.

- The consumer protection interest of the 1969 General Assembly is reflected in the Uniform Consumer Credit Code Commission, established by Resolution 101 (H 1275), which will study the Uniform Consumer Credit Code and make its recommendations thereon to the 1971 session. The Governor will appoint four members (at least two of whom must represent "the consuming public"), the President of the Senate will appoint three members, and the Speaker of the House will appoint four members.

- Various aspects of liquor law have provided some of the more volatile subjects under legislative consideration in the 1967 (brown-bagging) and 1969 (liquor by the drink) sessions. Another round with this endlessly interesting subject might result from the work of the Commission for the Study of the Laws of the State Pertaining to the Sale, Possession and Consumption of Alcoholic Beverages (H 1327, ratified as Resolution 115). It is not clear from the resolution whether a mere recodification or a more fundamental reform of the liquor laws is contemplated. Three of the Commission's nine members will be appointed by the Governor, three by the President of the Senate, and three by the Speaker of the House.

- The State operates two schools for the deaf and one for the blind and the deaf, and the creation of a third school for the deaf was proposed in the 1969 General Assembly. Utilization of the orthopedic hospitals and the tuberculosis sanatoria of the state is declining, while needs for medical facilities of other types climb. These factors prompted the creation of the Study Commission on Schools for the Blind and Deaf, Sanatorium System and Related Institutions of Declining Use (H 1245, ratified as Resolution 108). This agency will make

a study of the best use of present blind and deaf school facilities and the need for an additional institution, and of the feasibility of adapting some of the facilities of the sanatoria and related institutions to meet more urgent medical, educational, and health needs. The Commission's report is to be made to the Governor and the Advisory Budget Commission by July 1, 1970, so that it may be taken into account in reviewing budget requests for 1971-73.

COMMISSIONS REJECTED

Seven proposals for study commissions were introduced but failed to receive legislative approval. They would have provided for commission inquiries into presidential nominating procedures (H 426), interest rates (S 866), the milk industry and its regulation by the state (S 604), voting abuses (H 1385), state governmental reorganization (S 84), training opportunities in furniture design and manufacturing (H 869), and public employer-employee relations (H 493).

LEGISLATIVE RESEARCH COMMISSION ASSIGNMENTS

The Legislative Research Commission received a substantial and varied group of study assignments to be undertaken in anticipation of the 1971 session, including:

- A continuation of the 1967-69 study of health profession manpower needs and how to meet them (H 306, ratified as Resolution 55);

- An examination of the feasibility of a legislative retirement fund and the funding, eligibility, benefits, administration, and custody of such a fund, if established (S 876, ratified as Resolution 113);

- A study of the Teachers and State Employees Retirement System as it relates to the faculty and administrative personnel of the public universities, including an evaluation of needed changes and

alternatives (S 695, ratified as Resolution 76);

—A survey of the feasibility of using unused medical facilities at Eastern North Carolina Sanatorium to meet eastern North Carolina's medical education and health needs (H 853, ratified as Resolution 107);

—A study of the need for legislation providing for the licensing of clinical laboratories and diagnostic personnel (S 739, ratified as Resolution 116);

—A study of the use of agricultural and other pesticides and their effects on life and health (H 1392);

—An inquiry into the feasibility of authorizing business, trade, and correspondence schools to offer associate degrees under regulations issued by the State Board of Education (S 894);

—A study of the laws governing surplus funds of incompetents and advancements therefrom (H 1437);

—A study of the cost and feasibility of teaching first-aid courses in the public high schools (H 1432);

—A study of the cost and feasibility of propagating, processing, and marketing quail (H 1431);

—A study of the need for legislation with respect to drainage and small watershed districts, local and regional water supplies, the legal framework for the delivery of stored water, and other air and water resources matters (S 875); and

—A study of a proposal to permit payment of sale proceeds to the living members of a class of heirs on condition that they post bond to ensure payment to any subsequently born members of the class of their rightful share of the proceeds (H 1423).

DEPARTMENTAL STUDIES

State departmental studies are called for by several resolutions enacted by the 1969 session. Reports to the 1971 session are contemplated.

The Governor was authorized to direct studies to determine which state agencies may be consolidated

so as to "produce the same or a more efficient operational result at a reduction in cost" (H 1285, ratified as Chapter 1209.) The Governor was also asked to study the organization and administration of the state's health and mental health agencies and to take appropriate action and propose legislation to achieve maximum effectiveness, efficiency, and economy in those programs (S 857, ratified as Resolution 112).

Chapter 1169 (H 1320) directs the State Board of Education to study the needs for comprehensive vocational rehabilitation centers and plan their location, establishment, and development. The Board is also directed to formulate proposals for the addition to the public school curriculum of instruction in the environment and natural resources (H 115, ratified as Chapter 1103).

The Commissioner of Commercial and Sports Fisheries was directed to study the state's estuaries as a basis for developing a comprehensive plan for their conservation. An interim report is due January 1, 1971, and a final report on November 1, 1973 (H 1101, ratified as Chapter 1164).

The Courts Commission was directed by Resolution 62 (S 549) to study judges' and solicitors' selection, compensation, discipline, removal, retirement entitlement, retirement compensation, and survivor benefits.

The 1957 municipal annexation laws will be reviewed by the Local Government Study Commission by direction of H 1415.

Departmental study proposals that were defeated would have called for inquiries into the "file and use" method of making automobile liability rates (S 819), the consolidation of the public universities of the state into three regional groupings (S 709), the administrative practices of the three principal public employee retirement funds administered by the state (S 720), state employee salary continuation in case of disability (H 1075), motor vehicle registration

fees (H 852), and telephone service in the western part of the state (H 1417).

State Health Official Retires

On December 31, J. M. Jarrett retired as director of the Sanitary Engineering Division of the North Carolina State Board of Health, to be succeeded by Marshall Staton, who has been assistant director since 1963.

"The development of attitudes toward problems of sanitation as related to public health have been brought to the fore during the years J. M. Jarrett has served the state and nation as a sanitary engineer," remarked Dr. Jacob Koomen, State Health Director in announcing Jarrett's retirement. "His dedication to purer food, cleaner streams and a more wholesome environment, reflects many accomplishments spanning a long and highly effective career of service to mankind."

Jarrett's retirement will mark the end of a career in public health work that started 43 years ago. An Asheville native, he graduated from North Carolina State College in 1926 with a degree in Civil Engineering. Since then he has held positions as Sanitary Engineer with the Georgia Department of Health and on three Indian Reservations in New Mexico with the U. S. Public Health Service. He was selected to head the state health agency's Sanitary Engineering Division in 1943.

Jarrett has stamped his brand on many public health programs in North Carolina. He is credited with improving the quality of milk, reducing typhus fever through rat and flea control programs, malaria control, stream sanitation, mosquito control, air pollution and radiological control programs.

Staton is a Wadesboro native and a 1951 civil engineering graduate from Clemson, with a masters' degree in Sanitary Engineering from UNC-Chapel Hill earned in 1954.

TRUSTEES and the campus crisis

North Carolina college and university trustees meet to consider their roles and responsibilities

FOR TWO DAYS during the middle of December, trustees of North Carolina colleges and universities had a chance to see themselves as others see them, to take a look at the problems surrounding institutions of higher learning, and rub elbows with those rare birds the Professor and the Student. At a conference held on December 10-11, sponsored by the State Board of Higher Education and the Institute of Government and held at the Institute, trustees met to consider "Trustee Responsibility for a Campus in Crisis." This trustee-training session was the first held in this state. The Institute and the Board plan for such functions to be an annual event. The proceedings of this meeting will be published.

At the meeting the trustees found that a statistical portrait of them had been drawn by the Educational Testing Service at Princeton. J. A. Davis, of the ETS southeastern office, reported on a survey of Tar Heel trustees which shows that:

They are nearly all male—88 percent.

One-third are over 60 years of age, only 7 percent under 40.

They have a median income of \$25,000 per year.

In private white institutions, one-third of the trustees are businessmen, with clergymen next.

In public white institutions, half of the trustees are businessmen.

Lawyers and doctors abound; architects, engineers, professional educators, public administrators, authors, and journalists are nearly absent.

Over 90 percent of public university trustees are Democrats.

Over 80 percent said that they spent less than 20 hours a year meeting with college groups or in personal conferences with college personnel.

Two-thirds favor loyalty oaths for professors.

Less than 7 percent felt that the faculty should be directly involved in choosing a college president.

One-fourth favor screening of campus speakers.

Half favor controlling the content of student newspapers.

IN A SERIES of panel discussions, with give-and-take and questions and answers, the group came to grips with such questions as whether the trustees were merely a legal formality or could serve as a creative force. Most participants seemed to feel that beyond their policy-making functions, the trustees in this time could serve a strong liaison function in interpreting the campus to local communities—describing the problems of the colleges and universities, explaining what the student concerns are and why, and easing the way toward evolutionary change.

Charles B. Wade, vice president of the R. J. Reynolds Industries, Inc., and chairman of the Duke University Board of Trustees, described his interpretive role in explaining the Duke student support for striking food workers to a Methodist meeting at Juna-luska: "When I told them of the teachings of the church that the flock should be fed, and that the hourly wage rate for the worker was \$1.20 and that the students were only following the injunctions of the church, they gave me a standing ovation."

THE STUDENTS—their point of view and the place they have in the conduct of the university—came in for a large amount of attention. A descriptive list of student grievances was presented: The Vietnam war; poverty; injustices to minority groups, particularly blacks; the remoteness of professors—professors who prefer research to teaching and professors who teach poorly; student desire to plan curriculum and help hire and fire faculty; a desire to do away with most campus restrictions, including grades. "But," as one faculty speaker said, "there is little indication that the real or imagined grievances presented by students are the real causes of unrest on university campuses."

UNC student body president Alan Albright commented on the contention, growing in many quarters, that the universities should lend its prestige and influence to promoting social revolution: "No longer must the university attempt to maintain a posture of neutrality and isolation. . . . It must become a partisan of progressive forces in society."

Prof. William Van Alstyne of the Duke Law School spoke to several points concerning student-university relations. He rejects the suggestion that student body presidents be appointed to boards of trustees on the grounds that these students are true campus leaders, who eschew student government as being ineffectual to accomplish their goals. Also, says Van Alstyne, student body presidents are too much involved in campus politics and overly concerned with the "psychic return" gained from the prestige of holding office.

On a question currently shaking several campuses—whether compulsory student fees should be collected to support campus newspapers—Van Alstyne felt that there is a constitutional issue in students' right not to be taxed to subsidize a paper that holds views that are not theirs.

And in support of a fairly frequent student contention, he agreed that too many faculty members are more interested in research than in teaching: "The professoriat is guilty of academic rigor mortis and is sometimes guilty of serving itself rather than its students; there is ossification in academia as in trusteeship." He commented on the value of well-done evaluations of faculty by students.

IN THE AREA of lines of authority and trustee-administration relationships, the group pretty well agreed that ultimate authority rests with the trustees (with the legislature in the background for state-supported schools) but the trustees should remain a policy-making body that delegates its power to the administration, and from there to the faculty and student government. Speaking of trustee responsibility in times of violence and threats to the peace of the institution, President William Friday of the Consolidated University of North Carolina said: "I believe it is clear that unless there are fundamental understandings set forth in clear language in the basic documents of the institution establishing the role of the trustee as policy-maker and the administration as the agency for carrying out those policies, the campus will indeed experience crisis . . . basic lines of authority must be clear, and established before a crisis situation arises . . . Lines of communication between the trustees and the administration must be kept open in order that full information be provided."

A DISCUSSION of the university and due process of law brought out the fact that higher education no

longer occupies a sanctified position in our society. Its procedures and actions, largely unquestioned by the courts a few years ago, are now coming under close review by the courts. The result of this judicial scrutiny has been a redistribution of power in institutions of higher education. Power has shifted from the boards of trustees and university administrators to faculty and students. No longer can the university dismiss students or faculty, prohibit or limit demonstrations, or search student rooms without taking proper steps to see that the constitutional rights of students and faculty are not impaired. The newly imposed requirements—or limitations on trustee power—primarily have been the result of recent court decisions. These changes to university administration, however, need not be feared or resented by trustees. Quoting former Supreme Court Justice Jackson, Robert Phay of the Institute faculty noted that "due process of law is not for the sole benefit of an accused. It is the best insurance against those blunders which leave lasting stains on a system of justice but which are bound to occur on *ex parte* consideration."

Phay also observed that as long as institutions are fair in their dealings with people and in making decisions, there is little need for concern over the disruption of our institutions from due process requirements. There is need, however, to adopt written policies on student conduct, including what constitutes disruption of the institution, and written procedures for trying alleged violations of those policies. There also is need for competent legal counsel who can advise not only in time of crisis but when routine operational decisions are made.

IN A DINNER MEETING Governor Scott also commented on the necessity for trustees to recognize that theirs is the responsibility for determination of broad policy and that they must not try to bypass the administration to which they have delegated responsibility for management. He pointed out that each institution was only one of sixteen, and that no one of them was expected to do all things in the field of higher education; that trustees were appointed not merely to promote their own institutions, but to see that the best possible use is made of all of the state's institutions of higher learning. "Your responsibility is to help the taxpayers of this state get the best possible education for their young people; and you cannot fulfill this obligation if you never lift your eyes beyond your own campus."

Credits: All photos of the State Patrol are courtesy of the North Carolina Highway Patrol. The photo on page 16 is by Norman Dean, Wendell.

free press/fair trial

A NEW ERA BEGINS

By JOHN B. ADAMS

It is now time for the news media to put up or shut up in this free press-fair trial debate.

A few weeks ago, in Chicago, joint meetings between the American Bar Association and American Society of Newspaper Editors press-bar committees produced an aura of agreement which has, at the national level at least, been absent over the years.

The provisions of the Chicago Cease-Fire were simply that the ABA has agreed to push for implementation of only one of the four sections of the famed Reardon Report—that section dealing with lawyers' conduct. In return for delay in, or perhaps even ultimate dropping of, implementation of the section dealing with the media, ASNE has promised to try to develop guidelines which would, in effect, be substitutes for ABA action, but which would presumably serve the same purpose.

What, really, is that purpose? Essentially it is to balance rights: Rights of the accused, rights of the courts, rights of the news media, and rights of the people.

Until two weeks ago—literally—the various rights were being

strongly supported by those whose territory was theoretically threatened—and ignored by others. Press-bench-bar—all bellowed about their rights (and occasionally there was even some merit in the arguments). But the lines of battle remained clear—we and they sought to prevail.

Now, suddenly, the wind is out of the sail. The Bar Association will establish rules for its house. Now, to borrow a phrase, the burden of proof is on the news media.

We in the media have tried too long to pin the rap for unfair coverage on our *sources*, lawyers and others. Now it has changed—or will change; our lawyer sources will be policed. In Wake County, as a result of the Mallard-Braswell Rule, *any* officer of the court is potentially policed.

The media, as I said before, have to put up or shut up. If we insist—as we do with regularity—that we are a free and responsible press, then we need to shift our emphasis from the *free* to the *responsible*.

Let me be abundantly clear—I have supported, and continue to support, a free press. But for two

reasons I would like to suggest to you today that we need a reordering of our emphasis.

The first reason is that, barring a national catastrophe (such as a reactionary Supreme Court) the basic battle for press freedom is being won *for* us, and it is being won for us by the courts. In a real way we are freer today than we have ever been.

The second reason is that if we do not ourselves define "responsibility" more precisely and practice it more extensively, there is a good risk that responsibility will be *forced* upon us.

To bring this to the state level, there seems to me to be a three-way breakdown among the state media in North Carolina in the free press-fair trial context. The largest group consists of most of the state press and broadcasters; that group plays it cool and deliberately makes an effort to comply with the reasonable guidelines established by the State Bench-Bar-Press-Broadcasters Committee. That group presents no problem.

A second, smaller, group consistently, but not deliberately, cov-

ers crime and courts in a tradition-based, free-wheeling way which may or may not be in the spirit of the guidelines.

A third group, smallest of all, consistently and deliberately (or so it seems) tries to push the outer limits of acceptable coverage as far as they can go, and it is all done in the name of a free press. In another era, this group might have sought license, not liberty; now they seek freedom without restraint.

Perhaps the key in the whole business is that last word—restraint. In my view at least, restraint is a virtue which need not automatically interfere with press freedom. But its absence can easily create a situation which is harmful to an accused, to the administration of

justice, and in a real sense to the future of press freedom.

I have said before that we are living in an increasingly anti-media age. More and more people, for more and more real or assumed reasons, are losing confidence in the news media. Some of that loss of credibility and trust is due to public ignorance of what the news media are all about, and the credibility gap, while not principally of our own making, is remedial if we can do enough to educate the public about the roles of the media.

But arguments against the media for their real or alleged interference with fair trials primarily come about because of the acts of a few belligerently aggressive media.

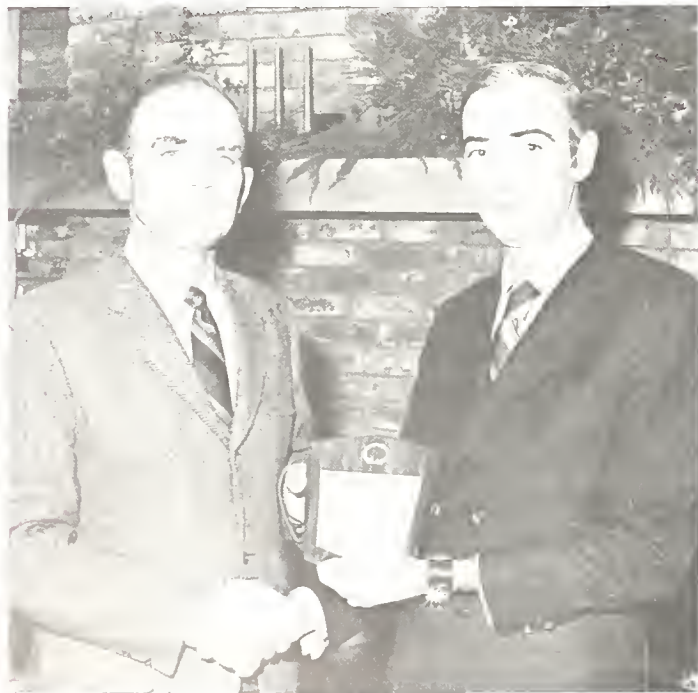
The great "silent majority" *may* react to *blanket* charges of media

distortion, and so on, or it may not. In either case, punitive action against the media in general is unlikely. But in the field of fair trial, action is not only possible but likely, unless some visible response to the guideline system is made by *all* the media.

We need only recall that legislatures, which can implement the recommendations of the Reardon Committee, are *full* of lawyers who would be quite willing, if pressed, to find ways to insure restraint.

Thus I leave you with this charge. Learn the guidelines and put them to full use, earnestly and sincerely, or the future will see responsibility *forced* on the media, and our long, winning battle for press freedom will be, in a real sense, lost forever.

Wendell Town Manager Named Citizen of the Year



Thomas D. Larkins, town manager for the town of Wendell, has been named Citizen of the Year by the Wendell Lions Club. Here he is receiving the award from Lions Club past president Clarence M. Kirk, left.

Larkins has served as town manager since 1966. He also serves as a member of the Special Advisory Committee for the Community Planning Division of the Department of Conservation and Development, as vice chairman of the Marks Creek District of the Democratic Party, and as Publicity Chairman of the Arts Council of Raleigh. He is also a member of the board of directors of the Community Council of Wake County and a member of the boards of the Wendell Library and the Wendell Chamber of Commerce.

He graduated from high school in Kinston and attended the University at Chapel Hill. After service in Korea Larkins completed his education at Woodberry College and U.C.L.A. He also is a graduate of the Municipal Administration course at the Institute of Government.

NORTH CAROLINA STATE BOARD OF EDUCATION

Department of Community Colleges

Law Enforcement Training

Schools and Conferences	Date	Location	Area Consultant
Introduction to Police Science	Feb. 2-Feb. 27	Wilson	Langston
Breathalyzer Operator's Course	Feb. 4-Feb. 13	Ahoskie	Abernethy
Introduction to Police Science	Feb. 9-March 6	Lexington	Lineberry
Project Transition School	Feb. 9-March 27	Ft. Bragg	Carraway
Special Criminal Investigation	Feb. 10-Feb. 11	Wilmington	Langston
Interview and Interrogation	Feb. 10-Feb. 12	Elizabeth City	Langston
Burglary Investigation	Feb. 16-Feb. 19	Wilmington	Langston
Service of Civil Writs	Feb. 17-Feb. 19	Greenville	Langston
Breathalyzer Operator's Course	Feb. 18-Feb. 27	Wilmington	Abernethy
Supervision for Police	March 2-March 27	Wilson	Langston
Criminal Investigation	March 6-March 30	Lexington	Lineberry
Accident Investigation	March 9-March 13	Jacksonville	Langston
Jail and Detention Services	March 10-March 11	Ahoskie	Rumple
Homicide Investigation	March 16-March 20	Wilmington	Langston
Accident Investigation	March 16-March 20	Elizabeth City	Langston
Police Psychology	March 16-March 20	Elizabeth City	Langston
Homicide Investigation	March 23-March 26	Wilmington	Langston
Accident Investigation	March 23-March 27	Jacksonville	Langston
Jail and Detention Services	March 24-March 25	Laurinburg	Rumple
Accident Investigation	March 30-April 3	Wilson	Langston
Crime Scene Photography	April 6-April 10	Greenville	Langston
Introduction to Police Science	April 6-May 1	Wilmington	Langston
Jail and Detention Services	April 7-April 8	Spindale	Rumple
Juvenile Officer's Training	April 13-April 17	Wilson	Langston
Police Practical Firearms	April 15-April 16	Elizabeth City	Langston
Introduction to Police Science	April 20-May 15	Elizabeth City	Langston
Jail and Detention Services	April 21-April 22	Wilkesboro	Rumple
Service of Civil Writs	April 21-April 23	Greenville	Rumple
Jail and Detention Services	May 5-May 6	Smithfield	Rumple
Jail and Detention Services	May 19-May 20	Morehead City	Rumple
Homicide Investigation	May 25-May 29	Elizabeth City	Langston
Jail and Detention Services	June 16-June 17	Sylva	Rumple

STATE OF NORTH CAROLINA
Local Government Commission

*Yields Currently Available
on North Carolina Issues (%)*

National Volume Outlook, December 12, 1969

<i>Date</i>	<i>The Bond Buyers Index¹</i>	
	<i>20 Bonds</i>	<i>11 bonds</i>
12- 4-69	6.72	6.56
11-26-69	6.58	6.44
11- 6-69	6.11	5.98
12- 5-68	4.76	4.65

Blue List Supply	\$448 million
30-day visible	\$470 million
Total supply	\$918 million
Total supply last week	\$983 million

	<i>Aaa</i>	<i>Aa</i>	<i>A</i>
10 year	5.80	6.00	6.10
20 year	6.30	6.45	6.65

Recent Bond Sales in North Carolina

<i>Issuer</i>	<i>Date of Sale</i>	<i>Purpose</i>	<i>Years</i>		<i>Amount</i>	<i>No. of Bidders</i>	<i>Average Life</i>	<i>First, Second, and Last Bids</i>	<i>Winning Manager</i>	<i>Moody's NCMC</i>	
										<i>Rating</i>	<i>Rating</i>
City of Lexington	8- 5-69	Sanitary Sewer	5	12.76	\$ 700,000			5.7706, 5.7768-5.9538	FUNB	A	83
Town of Jonesville	8- 5-69	Sanitary Sewer	2	11.50	40,000			6.9315 - 7.00	1st Citizens	NR	59
Town of Middlesex	8-12-69	Sanitary Sewer, A	12	23.57	97,000			4.000	FHA	NR	NR
Town of Middlesex	8-12-69	Sanitary Sewer, B	12	10.99	31,550			5.000	FHA	NR	NR
Town of Mayodan	8-12-69	Water & Sewer	3	12.15	325,000			6.4183, 6.4229-7.2033	Interstate	NR	69
City of Wilmington	9-30-69	Various Purpose	14	6.34	445,000			5.5263, 5.5314-5.9625	1st NB of ENC	A-1	82
City of Asheville	10-14-69	Municipal Vehicle	8	5.59	660,000			5.5055, 5.6610-5.9613	FUNB	Baa	78
Town of Gaston	10-21-69	Water	13	20.10	217,000			4.1250	EDA	NR	NR
County of Anson	10-28-69	Waterworks	13	23.23	452,000			3.750	EDA	A	80
County of Durham	11- 4-69	Courthouse	9	8.20	675,000			5.5229, 5.5448-5.7767	1st NB of ENC	Aa	89
County of Stanly	11- 4-69	Courthouse & Jail	5	13.20	3,120,000			5.8477, 5.8532-6.0714	NCNB	A	85
County of New Hanover	11- 4-69	Airport	8	8.90	395,000			5.6792, 5.7085-6.0284	NCNB	A-1	85
County of Cabarrus	11-18-69	School & Jail	9	8.59	370,000			5.6674, 5.6737-5.7539	Interstate	A	88
City of Wilmington	11-25-69	Sanitary Sewer	2	15.47	1,625,000			5.999 - 6.000	1st citizens	A-1	82
County of Mecklenburg	12- 2-69	Various Purpose	43	14.98	14,300,000			6.4526, 6.4690-6.7055	FNCB	Aa	88
Town of Banner Elk	12- 9-69	Water	1	21.67	57,000			4.1250	EDA	NR	NR

Visible Bond Issues January 1970

Town of LaGrange	1- 6-70	Water	\$ 150,000
Town of Pink Hill ²	1-20-70	Sanitary Sewer	290,000
Town of Waxhaw	1-20-70	Water	25,000

Edwin Gill, Chairman and Director
H. E. Boyles, Secretary
E. T. Barnes, Deputy Secretary

1. Weekly Bond Buyer, December 8, 1969
2. United States Government financing, Farmers Home Administration
3. United States Government financing, Economic Development Administration